

REMARKS

Applicants appreciate the Examiner's thorough consideration provided the present application. Claims 1-5, 8, 9 and 11 are now present in the application. Claims 1 and 9 have been amended. Claims 6, 7, 10 and 12-14 have been cancelled. Claims 1 and 9 are independent. Reconsideration of this application is respectfully requested.

Reasons For Entry Of Amendments

As discussed in greater detail hereinafter, Applicants respectfully submit that the rejections under 35 U.S.C. §§ 102 and 103 are improper and should immediately be withdrawn. Accordingly, the finality of the Final Office Action mailed on June 7, 2006 should be withdrawn.

In particular, claims 1 and 9 have been amended to incorporate their previously presented dependent claims 6, 7, 10 and 12-14, respectively. Therefore, no new issue should be raised. In accordance with the requirements of 37 C.F.R. §1.116, Applicants respectfully request entry and consideration of the foregoing amendments.

Claim Rejections Under 35 U.S.C. §§ 102 & 103

Claims 1-5, 8, 9 and 11-14 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Humpleman et al. (referred to herein as Humpleman), U.S. Patent No. 6,182,094. Claim 6, 7 and 10 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Humpleman in view of Kim, U.S. Patent No. 6,133,911. These rejections are respectfully traversed.

Complete discussions of the Examiner's rejections are set forth in the Office Action, and are not being repeated here.

Independent claim 1 recites a combination of steps including “displaying the second menu image on said display device in place of the first menu image previously displayed on said display device, the second menu image being displayed without performing an additional image construction process” and “displaying the one of the second plurality of menu items differently from the other menu items of the second plurality of menu items on the second menu image when a cursor is positioned over the one of the plurality of menu items during the movement of the cursor, wherein the one of the second plurality of menu items over which the cursor is positioned is displayed differently from other menu items of the second plurality of menu items on the basis of information about the positions of the second plurality of menu items on the second menu image, said information being provided by the selected external device.” Independent claim 9 recites a combination of steps including “checking if an external device is connected through a common bus, wherein the checking step is performed in response to a user request of a first menu image for selection of the external device, and wherein the checking step is performed when communication with the external device through the common bus is possible”, “displaying the second menu image on said display device to replace the first menu image previously displayed on said display device, the second menu image being displayed without performing an additional image construction process” and “the second menu item changes color and/or brightness when the external device detects the position of the cursor within the specific position region of the second menu item.”

The Examiner in the “Response to Argument” of the outstanding Office Action alleged that Humpleman in col. 9, lines 20-38 discloses the above combinations of steps as recited in claims 1 and 9 because the session manager would replace a first menu with a second menu

based on selection and capability of devices. The Examiner alleged that Humpleman accomplishes the above combinations of steps as recited in claims 1 and 9 by “replacing a menu that has functional buttons with a menu that has graying out non-functional buttons” (see Office Action, page 8, lines 13-14.) Applicants respectfully disagree.

In particular, Humpleman in col. 9, lines 20-38 discloses

In the following description, a software agent which assists the user in interacting with the network and controlling the various home devices connected to the network, and thus acts as the primary interface between the user and the home network, is called a session manager. For example, the software agent for the user (i.e., the session manager) may access the devices to get more information for the user, in order to assist the user with making selections associated with the devices, or with managing the devices. Such assistance with control of a device may include *modifying the GUI display for that device, as by graying out some buttons*, thus inhibiting selection of various options (or devices) based on prior selections and capabilities of devices. Still further, the session manager, acting as the user's agent, may link two or more devices selected by the user and may set up a communication path therebetween, freeing the user from the tedium and detail of implementing such control functions.

Since Humpleman discloses the GUI display needs to be *modified* by the session manager, Humpleman's session manager has to perform an additional image construction process (i.e., graying out some buttons) to generate the modified GUI display to replace the original GUI display. Without performing an additional image construction process, it is impossible for Humpleman's session manager to gray out some buttons in the GUI display. Therefore, Humpleman fails to teach “displaying the second menu image on said display device in place of the first menu image previously displayed on said display device, *the second menu image being displayed without performing an additional image construction process*” as recited in claim 1 “displaying the second menu image on said display device to replace the first menu image

previously displayed on said display device, *the second menu image being displayed without performing an additional image construction process*” as recited in claim 9.

The Examiner on page 3, lines 6-8 of the outstanding Office Action also alleged that Humpleman in col. 15, lines 63-65 discloses “the second menu image being displayed without performing an additional image construction process” as recited in claims 1 and 9. Again, Applicants respectfully disagree.

Humpleman in col. 15, lines 63-65 merely teaches that the session manger obtains the particular capabilities of a selected home device by accessing a standard named file, which includes the standard named functions such as “accepting video” and “display video”, on the respective home device. However, displaying the standard named functions to be a single menu image by using the standard named file must require performing an additional image construction process. Without performing an additional image construction process, it is impossible to convert the standard named functions in the standard named file to a single menu image displayed on the display device. Therefore, Humpleman in col. 15, lines 63-65 also fails to teach “the second menu image being displayed without performing an additional image construction process” as recited in claims 1 and 9.

With regard to the Examiner’s reliance on Kim, this reference has only been relied on for its teachings related to the subject matter of dependent claims 6, 7 and 10. This reference also fails to disclose the above combinations of elements as set forth in independent claims 1 and 9. Accordingly, this reference fails to cure the deficiencies of Humpleman.

Accordingly, neither Humpleman nor Kim, individually or in combination, teaches or suggests at least the above-noted features of independent claims 1 and 9. Therefore, Applicants

respectfully submit that independent claims 1 and 9 and their dependent claims (at least due to their dependency) clearly define over the teachings of Humpleman and Kim. Accordingly, reconsideration and withdrawal of the rejections under 35 U.S.C. §§ 102 and 103 are respectfully requested.

CONCLUSION

All the stated grounds of rejection have been properly traversed and/or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently pending rejections and that they be withdrawn.

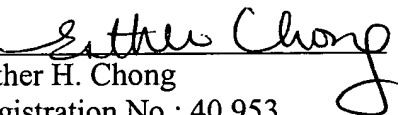
It is believed that a full and complete response has been made to the Office Action, and that as such, the Examiner is respectfully requested to send the application to Issue.

In the event that the present Reply does not place the application in condition for allowance, please contact the undersigned at (703) 205-8000 in the Washington, D.C. area to schedule an interview.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Dated: September 7, 2006

Respectfully submitted,

By 
Esther H. Chong
Registration No.: 40,953
BIRCH, STEWART, KOLASCH & BIRCH, LLP
8110 Gatehouse Road
Suite 100 East
P.O. Box 747
Falls Church, Virginia 22040-0747
(703) 205-8000
Attorney for Applicant

